

## ASHBY & GEDDES

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March 2, 2006

**VIA E-FILING & HAND DELIVERY**

The Honorable Joseph J. Farnan, Jr.  
United States District Court  
844 King Street  
Wilmington, Delaware 19801

RE: *Creedon Controls, Inc. v. Banc One Building Corporation, et al.*,  
C.A. No. 05-300-JJF

Dear Judge Farnan:

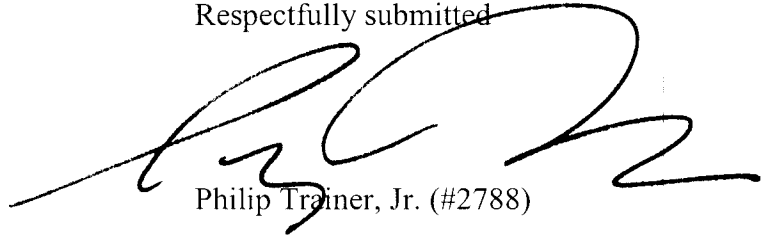
We, along with Paul Hastings Janofsky & Walker, LLP, represent defendant Banc One Building Corporation ("BOBC") in this action. BOBC, along with its co-defendant Forest Electric Corporation ("FEC"), write now with respect to Plaintiff Creedon Controls, Inc.'s ("Creedon") Motion to Compel Discovery filed on or about February 21, 2006 (the "Motion"), and BOBC's and FEC's responses in opposition thereto (the "Responses"). Courtesy copies of each of the defendants' responses to the Motion are enclosed herein for the Court's review and consideration.

In reliance upon the Local Rules of the Court, *i.e.*, D. Del. LR 7.1.1, both BOBC and FEC were of the belief that the Responses were due on or before March 7, 2006 (10 days from service of the Motion). Upon further review of the Scheduling Order entered in this case, however, BOBC and FEC realized that the Responses were due on or before 5 days after service of the Motion (*i.e.*, February 28, 2006). *See* Scheduling Order at ¶5(a). Having realized such oversight, both BOBC and FEC have prepared and submitted today their respective Responses.

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We apologize for any inconvenience this may have caused the Court and Creedon. Naturally, should the Court have any questions or comments regarding this matter, we are available at the Court's convenience.

Respectfully submitted

A handwritten signature in black ink, appearing to be 'P. Trainer, Jr.', written over the typed name.

Philip Trainer, Jr. (#2788)

/s/ Paul Bradley

Paul Bradley (#2156)

RP/kmm

cc: Robert Beste, Esq. (*via e-filing*)

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